

UTILITIES DIVISION[199]

Adopted and Filed

Pursuant to Iowa Code sections 17A.4, 476.1, 476.1A, 476.1B, 476.2, 476.8, 476A.12, 478.19, 478.20, 479.4, and 479.17, the Utilities Board (Board) gives notice that on August 22, 2016, the Board issued an order in Docket No. RMU-2016-0001, In re: Updates and Corrections of Rules Establishing Natural Gas and Electric Safety Standards [199 IAC Chapters 10, 11, 19, 20, and 25]; “Order Adopting Amendments to Natural Gas and Electric Safety Standards,” adopting updates to the Board’s safety standards for utilities providing natural gas and electric service and making certain corrections to the Board’s safety standards rules.

The safety standards in 199 IAC Chapters 10, 19, 20, and 25 are designed to ensure that facilities that provide service to the public under the Board’s jurisdiction comply with federal statutes and regulations and other national standards addressing the safety of these facilities. Board Safety and Engineering Section staff periodically review the electric and gas technical standards that are incorporated by reference in the Board’s rules and that the Section uses when it inspects the operations and facilities of public utilities. Since the standards change periodically, updates and corrections to the standards in the Board’s rules are necessary from time to time. In most instances, the Board has adopted the most recent standards to the natural gas and electric safety standards in its rules based upon changes to national standards and federal regulations that have occurred since the last amendments were adopted.

The Board decided not to adopt the most recent standards in the following instances: it did not adopt the updated version of the American Society of Mechanical Engineers (ASME) standard in ASME B31.8, “Gas Transmission and Distribution Piping Systems,” or the updated version of National Fire Protection Association (NFPA) 59. The federal listing of standards, which PHMSA incorporates by reference in its regulations, adopts the 2007 edition of ASME B31.8 and reverts to the 2004 version of NFPA 59. The Board considers it important for its safety standards to be consistent with the standards adopted in the federal regulations.

The changes adopted in this rule making are primarily updates of technical standards incorporated by reference. Of particular importance is the renewal of the adoption date of the federal pipeline safety standards. Timely adoption of amendments to the federal standards is a factor in the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA) performance score upon which the agency’s pipeline safety grant is based. The Board may be unable to enforce current federal standards that it has not yet adopted. For adoption of federal regulations, the proposed amendments provided for insertion of the latest possible date by which the amendments can become effective, which in this case is October 19, 2016. This practice ensures the Board adopts the most current amendments to federal standards and is consistent with prior rule makings concerning the updating of standards.

In addition, through this rule making the Board corrected its provision adopting the American National Standards Institute (ANSI) A300 (Part 1) standard on tree pruning. The change specifies the version year of Part 1 only, which is the only section of the three larger standards that the Board has adopted. Finally, the Board deleted references to federal statutory provisions and regulations concerning outdoor gas lighting which have been repealed or rescinded.

Notice of Intended Action was published in the April 13, 2016, Iowa Administrative Bulletin as **ARC 2499C**. These amendments are identical to those published under Notice, except for the insertion of the October 19, 2016, effective date.

The order approving this Adopted and Filed rule making can be found on the Board’s Electronic Filing System (EFS) Web site, <http://efs.iowa.gov>, in Docket No. RMU-2016-0001.

After analysis and review of this rule making, the Board tentatively concludes that the amendments will have a beneficial effect on the safety and reliability of natural gas and electric service in Iowa. Safe and reliable natural gas and electric services are a necessity for economic development, so the amendments will have a beneficial effect on jobs in Iowa, although that effect cannot be quantified.

These amendments are intended to implement Iowa Code sections 17A.4, 476.1, 476.1A, 476.1B, 476.2, 476.8, 476A.12, 478.19, 478.20, 479.4, and 479.17.

These amendments will become effective October 19, 2016.

The following amendments are adopted.

ITEM 1. Amend subrule 10.12(1) as follows:

10.12(1) All pipelines, underground storage facilities, and equipment used in connection therewith shall be designed, constructed, operated, and maintained in accordance with the following standards:

a. 49 CFR Part 191, "Transportation of Natural and Other Gas by Pipeline; Annual Reports, Incident Reports, and Safety-Related Condition Reports," as amended through ~~April 9, 2014~~ October 19, 2016.

b. 49 CFR Part 192, "Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards," as amended through ~~April 9, 2014~~ October 19, 2016.

c. 49 CFR Part 199, "Drug and Alcohol Testing," as amended through ~~April 9, 2014~~ October 19, 2016.

d. to f. No change.

Conflicts between the standards established in paragraphs 10.12(1) "a" through "f" or between the requirements of rule 199—10.12(479) and other requirements which are shown to exist by appropriate written documentation filed with the board shall be resolved by the board.

ITEM 2. Amend subrule 19.2(5) as follows:

19.2(5) *Annual, periodic and other reports to be filed with the board.*

a. to f. No change.

g. *Reports to federal agencies.* Copies of reports submitted to the U.S. Department of Transportation pursuant to 49 CFR Part 191, Part 192, or Part 199, as amended through ~~April 9, 2014~~ October 19, 2016, shall be filed with the board. Utilities operating in other states shall provide to the board data for Iowa only.

h. to k. No change.

ITEM 3. Amend rule **199—19.3(476)**, implementation sentence, as follows:

This rule is intended to implement 42 U.S.C.A. §8372, ~~10 CFR 516.30, and~~ Iowa Code section 476.8.

ITEM 4. Amend subrule 19.5(2) as follows:

19.5(2) *Standards incorporated by reference.*

a. The design, construction, operation, and maintenance of gas systems and liquefied natural gas facilities shall be in accordance with the following standards where applicable:

(1) 49 CFR Part 191, "Transportation of Natural and Other Gas by Pipeline; Annual Reports, Incident Reports, and Safety-Related Condition Reports," as amended through ~~April 9, 2014~~ October 19, 2016.

(2) 49 CFR Part 192, "Transportation of Natural and Other Gas by Pipeline: Minimum Federal Safety Standards," as amended through ~~April 9, 2014~~ October 19, 2016.

(3) 49 CFR Part 193, "Liquefied Natural Gas Facilities: Federal Safety Standards," as amended through ~~April 9, 2014~~ October 19, 2016.

(4) 49 CFR Part 199, "Drug and Alcohol Testing," as amended through ~~April 9, 2014~~ October 19, 2016.

(5) ASME B31.8 - 2007, "Gas Transmission and Distribution Piping Systems."

(6) NFPA 59-2008 ~~2004~~, "Utility LP-Gas Plant Code."

(7) At railroad crossings, 199—42.7(476), "Engineering standards for pipelines."

b. The following publications are adopted as standards of accepted good practice for gas utilities:

(1) ANSI Z223.1/NFPA 54-2012 ~~2015~~, "National Fuel Gas Code."

(2) NFPA 501A-2013, "Standard for Fire Safety Criteria for Manufactured Home Installations, Sites, and Communities."

ITEM 5. Amend subrule 19.8(3) as follows:

19.8(3) *Turning on gas.* Each utility upon the installation of a meter and turning on gas or the act of turning on gas alone shall take the necessary steps to assure itself that there exists no flow of gas through the meter which is a warning that the customer's piping or appliances are not safe for gas turn on (Ref: Sec. 8.2.3 and Annex D, ANSI Z223.1/NFPA 54-~~2009~~ 2015).

ITEM 6. Amend **199—Chapter 19**, implementation sentence, as follows:

These rules are intended to implement ~~42 U.S.C.A. 8372, 10 CFR, 516.30, and~~ Iowa Code sections 476.1, 476.2, 476.6, 476.8, 476.20, 476.54, 476.66, 476.86, 476.87 and 546.7.

ITEM 7. Amend subrule 20.5(2) as follows:

20.5(2) *Standards incorporated by reference.* The utility shall use the applicable provisions in the publications listed below as standards of accepted good practice unless otherwise ordered by the board.

- a. Iowa Electrical Safety Code, as defined in 199—Chapter 25.
- b. National Electrical Code, ANSI/NFPA 70-~~2011~~ 2014.
- c. American National Standard Requirements for Instrument Transformers, ANSI/IEEE C57.13.1-2006; and C57.13.3-2005.
- d. American National Standard for Electric Power Systems and Equipment Voltage Ratings (60 Hertz), ANSI C84.1-2011.
- e. Grounding of Industrial and Commercial Power Systems, IEEE 142-2007.
- f. IEEE Standard 1159-2009, IEEE Recommended Practice for Monitoring Electric Power Quality or any successor standard.
- g. IEEE Standard 519-~~1992~~ 2014, IEEE Recommended Practices and Requirements for Harmonic Control in Electrical Power Systems or its successor standard.
- h. At railroad crossings, 199—42.6(476), "Engineering standards for electric and communications lines."

ITEM 8. Amend subrule 25.2(5) as follows:

25.2(5) *Other references adopted.*

- a. The "National Electrical Code," ANSI/NFPA 70-~~2011~~ 2014, is adopted as a standard of accepted good practice for customer-owned electrical facilities beyond the utility point of delivery, except for installations subject to the provisions of the state fire marshal standards in 661—504.1(103).
- b. No change.

ITEM 9. Amend subrule 25.3(5) as follows:

25.3(5) *Guidelines.* Applicable portions of Rural Utilities Service (RUS) Bulletins 1730-1, 1730B-121, and 1724E-300 and "The Lineman's and Cableman's Handbook" are suggested as guidelines for the development and implementation of an inspection plan. ANSI A300 (Part 1)-~~2013~~ 2008 (R2014), "Pruning," and Section 35 of "The Lineman's and Cableman's Handbook" are suggested as guides for tree trimming practices.

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 9/14/16.